

REMARKS/ARGUMENTS

Favorable reconsideration of this application as currently amended and in view of the following remarks is respectfully requested

Claims 1-9 and 11-20 are currently active in this case. Claims 1, 9, 12, 16, and 20 have been amended, and claim 9 has been cancelled by the current amendment.

In the outstanding office action, claims 1, 7-9, 16, and 20 were rejected under 35 USC 102(a) as being anticipated by published European Patent Application 1 244 043 A2 to Dadong et al.; claims 9 and 11 were rejected under 35 USC 102(e) as being anticipated by published U.S. Patent Application No. 2005/0113066 to Hamberg; and claims 12 and 15 were rejected under 35 USC 103(a) as being unpatentable over Dadong et al. in view of Hamberg.

Claims 2-6, 10, 13, 14, and 17-19 were objected to as being dependent upon a rejected base claim, but were indicated as being allowable if rewritten in independent form. Applicant acknowledges with appreciation the indication of allowable subject matter. In response to the indication of allowable subject matter regarding claim 10, Applicants have rewritten independent claim 9 to include the features recited by claim 10.

We acknowledge with appreciation the courtesy of an interview granted to Applicant's representative on November 9, 2006. Proposed claim changes were discussed and the Examiner indicated that the proposed changes would require a search and further consideration. Applicant's have amended the claims herein exactly as they were amended in the draft claims presented to the Examiner.

Briefly recapitulating, the present invention is directed to a mobile communication terminal and a mobile communication method. Claim 1 defines a mobile communication terminal including means for receiving identification information from at least one mini-communicator (by way of a non-limiting example, an RFID transponder) which transmits predetermined identification information of its own; means for communicating with a server

or another terminal via a cellular communication network; and means for receiving from the server a switching signal including control information configured to control switching among a plurality of modes including an identification receive mode activating only the means for receiving identification information, and a cellular communication mode activating only the means for communicating. Such a configuration enables a reduction in power consumption and addresses traffic issues on a cellular communications system. See the specification at page 2, lines 8-21.

Similarly, claims 12, 16 and 20 define, respectively, (a) a communication system including at least one mobile communication terminal and a server, (b) a communication control method for a communication system including at least one mobile communication terminal and a server, and (c) a control program executable by a computer residing on a communication terminal. Each of those claims, for at least the same reason as claim 1, define subject matter which enables a reduction in power consumption and addresses traffic issues on a cellular communications system.

Regarding claims 1, 9, 16, and 20, the official action asserts Dadong et al. disclose “means for receiving a switching signal for switching among a plurality of modes ... and for performing a mode switching control based on the received switching signal” However, Applicants point out that any switching done by the mobile terminal 204 in Dadong et al. is not done in response to receiving a switching signal from the base station 8. Further, Dadong et al. does not teach or suggest that the base station 8 sends a signal to the mobile terminal 204 which includes control information configured to control the switching between modes. Consequently, Dadong et al. are not believed to anticipate or render obvious the subject matter recited by claim 1.

Regarding claims 12 and 15, the official action concedes that Dadong et al. fail to disclose the means for transmitting a switching signal feature. However, the official action

asserts that Hamberg teaches such a feature. In particular, the official action asserts on page 7 that:

Hamberg teaches that the user of the mobile terminal makes a request and in response the server returns an SMS payment token to the user's device over the cellular telephone, then the user can upload a tag to paint the wall, which can be communicated to another device via Bluetooth The teaching of Hamberg inherently includes a controller for performing the switching such as switching to receive the request information via the cellular network and switching to transmit the upload tag to another device via a Bluetooth communication.

In response, Applicants point out that Dadong et al.'s token does not include control information configured to control the switching of modes of the mobile terminal. Consequently, Dadong et al. are not believed to anticipate or render obvious the subject matter recited by claims 12 or 15 when considered alone or in combination with Hamberg.

In view of the foregoing, no further issues are believed to be outstanding and the application is believed to be in condition for allowance. An early and favorable action is respectfully requested.

Respectfully submitted,

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